

**NEWTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
July 3, 2007  
MINUTES**

**Present:** Chairman Aaron Varner, Commissioners Mort Ewing, Earnest Simmons, Ester Fleming, Jr., J.C. Henderson, and Monty Laster, Administrative Officer John Middleton, County Attorney Tommy Craig, Jenny Carter and County Clerk Jackie Smith

**Newspaper:** Covington News – Rachel Osborn  
Newton Citizen – Crystal Tatum  
Large group of citizens

Chairman Varner called the meeting to order, extended a welcome and read the thought for the day. Commissioner Mort Ewing gave the invocation and Chairman Varner led the Pledge of Allegiance to our great Flag.

**APPROVAL OF BOC MINUTES DATED JUNE 19, 2007**

**Motion:** To approve the minutes dated June 19, 2007 as printed.

**Proposed by:** Commissioner Monty Laster, District Five

**Second by:** Commissioner Mort Ewing, District One

**Motion Carried**

**RECIPROCAL SANITARY SEWER EASEMENT AGREEMENT**

Chairman advised the board that the applicant has withdrawn his request.

**Motion:** To accept the applicant's request to withdraw the reciprocal sanitary sewer easement agreement.

**Proposed by:** Commissioner Mort Ewing, District One

**Second by:** Commissioner Monty Laster, District Five

**Motion Carried**

**RESOLUTION R070307 CIE AMENDMENT TO THE  
COMPREHENSIVE PLAN FOR NEWTON COUNTY**

Chairman advised the board this resolution is required by the state.

- Capital Improvement Elements (CIE)
- This is the adoption of what was previously sent to DCA to review and approve.

**Motion:** To approve Resolution R070307 CIE Amendment to the Comprehensive Plan for Newton County as printed in board packet on pages 21-29.

**Proposed by:** Commissioner Mort Ewing, District One

**Second by:** Commissioner Ester Fleming, Jr., District Three

**Motion Carried**

**Note:** The original resolution is contained in file number R031707, incorporated herein by reference and expressly made a part of these minutes.

## **RESOLUTION R070307A CSBG FFY2008 GRANT ALLOCATION**

**Motion:** To approve Resolution R070307a CSBG FFY2008 Grant Allocation for Newton County Senior Citizens Program and the Department of Family & Children's Services.

Chairman advised the board this resolution is required by the state.

- Grant that helps fund the Senior Service programs and DFACS program.

**Proposed by:** Commissioner Monty Laster, District Five

**Second by:** Commissioner J.C. Henderson, District Four

**Motion Carried**

**Note:** The original resolution is contained in file number R071707a, incorporated herein by reference and expressly made a part of these minutes.

## **E911 – UPGRADING RADIO IP SERVER FOR MORE UNITS**

Chairman Varner noted this is to upgrade the Radio IP Software to accept 50 additional units.

- Necessary to complete the installation of the mobile laptops for the Sheriff's Department.

**Motion:** To approve the E911 Upgrading of Radio IP Servers for more units as outlined on pages 31-38 in board packet.

**Proposed by:** Commissioner Mort Ewing, District One

**Second by:** Commissioner Ester Fleming, Jr., District Three

**Motion Carried**

## **TO #7 FOR CONSULTANT PBS&J – FLAT ROCK ROAD & ROCKY POINT ROAD**

Chairman Varner noted the following:

- New system to assist in prolonging life of road.
- Visited Jones County to review roads they have used this on.
- This will allow us to evaluate how this will work for our other county roads.
- Excited to try this out.

Commissioner Ewing

- Questioned what surface would be like? Special surface treatment with asphalt emulsion and stone layers that will lengthen the life of badly cracked roads.
- Jones County has not had any problems with this type of surface

Commissioner Laster

- Questioned cost comparison to conventional paving? Cost is approximately 50% lower than conventional patching and paving.

**Motion:** To approve Task Order #7 for consultant PBS&J for construction management assistance for the resurfacing of Flat Rock Road and Rocky Point Road for a not to exceed cost of \$29,260.00.

**Proposed by:** Commissioner Monty Laster, District Five

**Second by:** Commissioner Mort Ewing, District One

**Motion Carried**

## **TO #12 FOR CONSULTANT J.B. TRIMBLE – LIVINGSTON LANE IMPROVEMENTS DESIGN**

Chairman stated this request is for the design of road for improvements and does include future paving costs. He stated Engineer Kevin Walter would not be present at the meeting tonight due to car trouble coming home from Dublin. The chairman and Commissioner Simmons stated they wished he were here to be able to answer questions.

Commissioner Simmons who noted the following:

- Recognized the large contingency from the Livingston Lane area present at meeting.
- Requested board support task order to begin this project.
- Worked on this for several months now.
- Invited people to address the board with their comments

Melissa Adcock (correction of name from approval of minutes on July 17<sup>th</sup>)

Charles Watson

Joe Birch

Brandon Torrey

Mr. Jeffries

Mr. Adcock

Others

- Told by builder when purchased land that road would be paved in two years (that was in 2000)
- Been to newspaper, television stations and feels they have waited long enough for improvements to happen.
- Concerned someone is going to get killed.
- Builder is presently building more houses
- Traffic
- Speeders
- Unsafe
- Provided photos for board to review
- Road less than a mile long
- 70 houses at present time
- Many accidents in front of house – afraid to let children go out into their front yard to play.
- County sprays to keep down dust, but doesn't last long enough
- More gravel is not the answer
- Has COPD and very dangerous for personal health
- Vehicle maintenance is a concern, but safety is the biggest concern.
- So much dust and traffic
- Cut though road
- Narrowed road when ditches were dug

Commissioner Henderson

- Questioned if ROW is required? Yes, approximate cost is in excess of a million dollars.
- Questioned if process would speed up if ROW were donated?
- Some residents might not be willing to donate ROW. (Commissioner Simmons)

Commissioner Simmons

- Reiterated this is a good beginning for project.
- It will provide survey and design of Improvements and will include drainage improvements, road realignment and future paving.

Commissioner Ewing

- Noted that Commissioner Simmons indicated that some residents might not be willing to donate their ROW and this board has always agreed that to get a dirt road paved we must have the ROW donated.
- District One has 85 miles of dirt roads and it has always been that we do not buy ROW to go from a dirt road to a paved road. That has simply been our policy.

Commissioner Fleming

- Sympathizes with people who purchase property on a dirt road and unfortunate what some builders will say to sell a house.
- Fortunate to have SPLOST funds that go towards paving roads.
- Board has worked hard and State has cut funds.
- Your plight has not fallen on deaf ears, but we need to follow the course that has been previously outlined.

Commissioner Simmons

- The chairman mentioned a million dollars, but this is not a concrete figure and this task order would be a good faith start to solving this problem.
- Been working with Kevin Walter and JB Trimble on this project and strongly feels board should move forward with approval.

**Motion:** To approve Task Order #12 for consultant J.B. Trimble - Livingston Lane Improvements Design Work for a not to exceed cost of \$196,899.91.

**Proposed by:** Commissioner Earnest Simmons, District Two

**Second by:** Commissioner J.C. Henderson, District Four

**Motion Failed 3 to 2 with Commissioners' Ewing, Fleming and Laster voting in opposition to the motion/**

## **TO #7 FOR CONSULTANT URS – HOME DEPOT ROADWAY EXTENSION TO BROWN BRIDGE ROAD**

Chairman told board this is the planned extension from 212 to Brown Bridge Road.

- Only one landowner to work out details with.

Commissioner Simmons

- Remembered during discussions with Home Depot they pledged additional money for this.

Chairman Varner

- Correct, they will be part of helping to pay the cost of this.

**Motion:** To approve Task Order #7 for consultant URS for Home Depot Roadway Extension to Brown Bridge Road for a not to exceed cost of \$103,270.20.

**Proposed by:** Commissioner Mort Ewing, District One

**Second by:** Commissioner Earnest Simmons, District Two

**Motion Carried**

**ALCOHOL LICENSE:**

Kroger Store #436 to #621

Transfer of the Alcohol License

Attorney Jenny Carter addressed the board with this request to transfer manger from 436 @ GA 20 to 621 (new store).

Reason for transfer of license is because license is in managers name and this will leave the old store without a manager with a license.

Store 436 has been charged with underage sale of alcohol. If convicted board would be notified and would decide if licensed would be pulled for 90 days or not.

Commissioner Ewing

- Requested counsel recommendation? Ms. Carter stated that under our current ordinance this transfer is correct.

**Motion:** To approve the transfer from Kroger #436 to Kroger Store #621 with the understanding that if charge of alcohol sale to a minor is a conviction, store would be subject to conditions set forth in Newton County Alcohol Ordinance and subject to 90 day suspension of sales.

**Proposed by:** Commissioner Earnest Simmons, District Two

**Second by:** Commissioner Ester Fleming, Jr., District Three

**Motion Carried**

**Final Reading**

Kroger Store #436

5341 Hwy. 20 South

Covington, Georgia 30016

Owner: Kroger Company

District Two

**Motion:** To approve the alcohol request for Kroger Store #436 located at 5341 Hwy. 20 South, Covington, Georgia.

**Proposed by:** Commissioner Earnest Simmons, District Two

**Second by:** Commissioner Ester Fleming, Jr., District Three

**Motion Carried**

**First Reading**

Oak Hill BP Store  
3300 Highway 81 South  
Covington, Georgia 30016  
Owner: Badruddin A. Dharani (100% Owner)  
District One

**COUNTY CHECKS**

**Motion:** To approve the county checks as read by the chairman.

**Proposed by:** Commissioner Mort Ewing, District One

**Second by:** Commissioner Monty Laster, District Five

**Motion Carried**

**EXECUTIVE SESSION**

**Time: 8:10 p.m.**

**Motion:** To enter into Executive Session for the purpose of discussing pending litigation and land acquisition.

**Proposed by:** Commissioner Mort Ewing, District One

**Second by:** Commissioner Ester Fleming, Jr., District Three

**Motion Carried**

**REGULAR SESSION**

**Time: 9:00 p.m.**

**Motion:** To enter into Regular Session.

**Proposed by:** Commissioner Ester Fleming, Jr., District Three

**Second by:** Commissioner Monty Laster, District Five

**Motion Carried**

**ADJOURN**

**Time: 9:01 p.m.**

**Motion:** To adjourn the meeting.

**Proposed by:** Commissioner Mort Ewing, District One

**Second by:** Commissioner Ester Fleming, Jr., District Five

**Motion Carried**

**Respectfully submitted,**

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**Jackie Smith, County Clerk**